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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,471	10/19/2001	Martin T. Martin	100391-02030	1031
35745	7590	11/26/2004	EXAMINER	
KRAMER LEVIN NAFTALIS & FRANKEL LLP INTELLECTUAL PROPERTY DEPARTMENT 919 THIRD AVENUE NEW YORK, NY 10022			PATTERSON, CHARLES L JR	
			ART UNIT	PAPER NUMBER
			1652	

DATE MAILED: 11/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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11221004

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Commissioner for Patents

The reply filed on 10/13/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): There was an election of species done in the action mailed 8/24/04 for Group I specifically for the species in claims 6 and 7 and another election of species done for Group II for the species of claim 26. Applicants mischaracterized the election of species in the penultimate paragraph of page 5 of their reply and elected group III as the species. This is not fully responsive to the action of 8/24/04 and thus is an improper reply to the restriction requirement that specifically stated "this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed" (last paragraph of page 4 of the action). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

  
Charles L. Patterson, Jr.  
Primary Examiner  
Art Unit: 1652